

**CITY OF TAKOMA PARK, MARYLAND
(ADOPTED 1/10/05)**

Closed Session 3/15/04 - Moved by Seamens; seconded by Austin-Lane. The Council voted unanimously to convene in Closed Session at 11:13 p.m. in the Conference Room of the Municipal Building. OFFICIALS PRESENT: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams. STAFF PRESENT: Finn, Waters, Silber. The Council discussed a personnel matter. (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(i)).

**WORKSESSION
OF THE CITY COUNCIL**

Monday, March 22, 2004

OFFICIALS PRESENT:

Mayor Porter
Councilmember Austin-Lane
Councilmember Barry
Councilmember Elrich
Councilmember Mizeur
Councilmember Seamens
Councilmember Williams

City Manager Finn
Assistant City Clerk Carpenter
Recreation Director Haiduven
Project Manager George

COUNCIL COMMENTS

Councilmember Williams recognized the Arts and Humanities Commission (AHC) and their unveiling of the artwork installed outside of the building. There are thirty 4 x 4 posters based on the theme: "What Takoma Park Means to Us." He recounted it was a great celebration and opening. Many people were there. He hopes to see more from the Commission.

Councilmember Seamens expressed his concern about the process involved in the Community Center design and construction, noting that he has asked twice for a detailed briefing to be placed on the agenda. On February 23 he was told that we could not have a briefing until late in March, yet the Mayor and other Councilmembers were individually briefed. The Open Meetings Act applies to briefings and other information gathering. This must also be open to public view. Smaller briefings are lawful, but not in the spirit of the Act. He vowed to work with the Council to get the project under control. We need to resolve these issues.

ADOPTION OF MINUTES - October 20 and 27, 2003.

Moved by Williams; seconded by Barry.

The minutes were adopted unanimously (VOTING FOR: Porter, Barry, Mizeur, Seamens, Williams; ABSENT: Austin-Lane, Elrich).

PUBLIC COMMENT PERIOD

Nellie Moxley noted that there is a flood plain area around Eastern and Laurel, which may have an impact on the planned construction of a garage.

WORKSESSION

1. Community Center Construction.

Mayor Porter announced that the order of the discussion would be presentation of information, questions by the Council, then questions and comments from the community.

Larry Abell, Larry Abell & Associates began by saying that he was working to bring information to the Council which we hopes will be helpful. This is a continuation of the meeting begun several weeks ago. We prepared exhibits. (1) What is the management of the project--what we do and how we do it. (2) Where we are with reference to the exterior. (3) What is happening with the interior and where it will go. We went through a design process that took well over a year. Over 200 people were involved with the citizen meetings. We met with committees to design and to discuss fund-raising efforts. In the design process, we estimated the cost to be \$6.9 or \$7 million. We then had many other requirements imposed by other government agencies, Montgomery County, WSSC and information that developed during the design process. We discovered the flood plain and had to deal with that issue.

We awarded a \$5,595,000 contract. Alternates we looked at were for the facade on the library, for completion of the administration level, modification of some areas on the first floor, and the gym. Tonight, one of the objectives will be to deal with alternate number 5. That decision needs to be made tonight to preserve the price in the contract.

(It was noted that others present for the presentation include: Doug Norway of Larry Abell & Assoc., Jeryl diPietro of Charron Consulting, and City staff Construction Manager Venita George.)

- Management Overview

Doug Norway, Larry Abell & Associates, handed out flow charts. The first page outlines the general project administration. (1) Management team: Larry Abell & Associates, City of Takoma Park, and Charron Consulting. (2) Daily communication: Charron is advisor to the City

of Takoma Park. (3) Design consultants include engineers - plumbing, civil, electrical, etc. All daily communication gets distributed to these parties. All communication between the contractor and the City goes through the architectural firm.

Progress meetings are held approximately twice a month. They are mostly held in the construction trailer and include Mr. Norway, Ms. George, Charron Consulting, and the Vice President, Superintendent, and Project Manager of Knott Construction. We review jobs and information. We usually have the superintendent outline what's going on at that time. We compare against our site findings. We run through a summary--what transpired on old business--and then move to new business. All items are tracked from day one. Once the meeting is finished, we walk the site to conduct an inspection. Then the management team meets, recaps the meeting to identify what needs to be done, develops targets and sets parameters to continue the project through to the time of the next meeting.

With respect to project inspection, we rely on Ms. George and other people who are on site. If we need to, we make a special on-site trip between meetings. Larry Abell & Associates inspects weekly, once during the project meeting and once between meetings. We require photos weekly, transmitted by Ms. George and Jeryl diPietro. We forward them to our entire design team. We may discuss certain points and transmit information back to the contractor.

In regards to monthly pay application, the contractor submits a monthly application for payment, based on their schedule of values awarded in the contract. Usually during the meetings, we get a draft requisition for payment. During the progress meeting, or during phone conversations, we review changes since the last payment application. We make some initial Comments as to correctness and what needs modification. We take the draft back to our office and review it in detail against contract. We write a response to the contractor to let them know what needs adjustment. They make the amendments to the payment application, if applicable. Then it is again reviewed by the City, Charron Consulting, and Larry Abell & Associates. Once we get the back up data, or actual percentages, we then adjust it accordingly based on site inspections. That document then goes to the City. Ms. George does a final review and gives it to the City Manager Finn for review and payment approval.

With respect to the change order process, the changes are requested by the City, recommended by the architect, and then the change in conditions is processed.

(Councilmember Elrich arrived at 8:00.)

Main communication always goes through the architect. The management team reviews change orders. We may have our design team review if it is structural, or have a plumbing consultant involved (whatever is needed). We then prepare a draft and send it back to the contractor. We ask for backup information. They resubmit the information. There is a second review. This can happen multiple times until matters are resolved. If the change order is acceptable, we send it back to the contractor and to all parties for signature. It then goes to the City for final review and approval. Only at that point does it become part of the payment application. Currently,

there are five change orders totaling approximately \$144,000 on record. Twenty-six potential change orders have been submitted. The remainder (twenty-one) are under review.

Larry Abell commented that until they review a “change” request and the entire team evaluates it, it is not a change order. This way we can keep track of the issues. Not all of them are increases in cost, sometimes they cause decreases. However, it is a mechanism to control costs.

Councilmember Austin-Lane asked whether the architects are aware that the Council wants to be notified of any change orders affecting the budget.

Mr. Abell replied in the affirmative.

Mr. Finn said that the information has been provided to the Council and all remain within the budget.

Mr. Abell said we might expect a 10-15 percent cost variance in a project like this.

Mr. Norway stated that the material submittal process was more oriented toward the architect. Based on the specifications and construction documents, the contractor puts together detailed material for submittal, such as steel, door hardware, etc. There are usually three or more bids on materials. Certain, acceptable ones have been listed up front. The contractor provides seven copies of everything submitted. We review the information in detail, making sure it meets the intent of the document. If a detail were not predetermined, we would bring it to the attention of the management team (e.g., roof color). If it pertains to structural or plumbing, we also submit it to our design team. We evaluate their comments and then we forward our comments. We also send them to the City. We coordinate with any applicable staff. With the security system, for example, we dealt with the police department. We also might have to deal with outside County agencies.

Mr. Abell said we have a pretty extensive process in the management program and that the architectural firm remains involved in daily communication. We are in contact with City Manager Finn or others in the City administration. The team works well together. There are more management activities with this project than others he is involved in of higher costs.

Mr. Norway added that they are in daily communication with the contractor as well.

Mr. Williams said that the essential problem, while the process presented is thorough, is the lack of interface with the “owner”. The Council has not done what it needed to do as “owners”. Between the Council, the residents and City management staff, there have been breakdowns in communication. We are thinking we did not see things, like change orders. He said that he does not recall getting those pieces of information. We have to try and correct this in our part of managing the process. We had a vague sense that we needed to change how we are doing things, but we did not have the details. A number of us have met with staff, residents who have contracting knowledge and with the architects. It has all been an effort to try and understand

how this process works and what information we need. I would characterize these meetings as helping us make the decisions that we need to make.

Mr. Williams proposed a change in the process, to make sure the owners understand the Council's role in the process. He recognized that it may be easier to have one point of contact on the Council—wanting to keep the information flow through a central contact—and volunteered to be that point of contact on the Council. We want the opportunity to get citizen input. He also proposed that we have an item “Community Center Update” near the beginning of the meeting on all future agendas. One of the things that we need is a sense of the schedule. There have been questions about not much work being done, and then suddenly a lot of work being done. Timely updating for us would be of help. We need to see the change orders so we have a clear understanding of what they involve. We need to be aware of the dollar amounts.

Ms. Austin-Lane said that she is becoming more comfortable with where the Council needs to be in oversight of this project and expressed her confidence in the architect and staff. She noted that she has been active in obtaining information and would affirm Mr. Williams' suggestions, seconding his nomination for the Council's point person. Weekly updates are incredibly important. The additional information we have requested is for the purpose of informing our residents. We need to access the interior and make this a habitable building.

Mr. Elrich commented on the change order issue. Those that impact appearance and functionality need to be discussed with the Council. We do not need to be involved in matters regarding “1 inch pipe” or “3/4 inch pipe” selection. We need to be involved in the changes that impact the sense and the feel of the building. None of us were aware that the building was going to look like the current rendering. The professionals should resolve the technical issues.

Ms. Austin-Lane recalled that when the project was first bid, when the contract was awarded, there were five bids (one low, three middle, one high). We went forward with the understanding that the difference between the low and middle would not be made up by change orders. She recognized the source of communication, in that the technical issues (some resulting in change orders) need to be identified.

Mr. Seamens said that he did not sense there was an issue with the management (Larry Abell & Associate's) of this project and that it is not their job to resolve issues within the City government. He added that as much as he appreciates Mr. Williams volunteering to act as the point person, it is ridiculous for the Council to do the staff's job. Staff has not been providing all of the information. We need to put a person in charge as liaison between the Council and the architect. We need someone with communication skills.

Mr. Elrich said it may be true that we would have liked this to flow a different way but that he is not willing to experiment any more. If Mr. Williams volunteers to do this, we should let him. The focus should be to make sure this is handled right.

Mr. Seamens declared that this situation is ludicrous. The person who did not do their job

should be removed.

Ms. Porter asked whether there is a change order for flood control.

Mr. Abell replied that this is not yet resolved. This includes anything related to the flood control issue--soil issues, WSSC changes and things of that nature. There is one area, under the contract, where if there is a soil problem, a soils consultant makes the final decision. There are unit prices in the contract that allow for this to move forward. It has to be that way. If someone says there is a soil problem, we come on site to be involved in the inspection and discussion. Until we get out of the ground we have to deal with those potential issues. When we work out the change order, the Council will be advised.

Contractually, we have to have one point of contact. Someone has to tell us what to do and how to do it. It is a requirement under the AIA contract. There are three parties, the contractor, the City and the architect. This has been extremely complicated project. The pains that we are experiencing--if you look at this historically--involved a design process which spanned over time. Once the bids came in, other impacts started to have an effect. A lot of decisions had to be made very quickly. Now we are going back and taking the time. Once again, the Council is trying to make sure that the citizens' requirements are being incorporated. We are also meeting with citizens and trying to work things out.

Ms. Mizeur asked about the proposed change orders. Are these issues that only the contractor is calling for?

Mr. Abell responded that his firm would also identify these changes.

Ms. Mizeur asked about the facade decision.

Mr. Abell replied. It became obvious that we had to complete the design within the budget. We started trying to find ways to make this work. While we may think we were communicating effectively, there were misunderstandings. He stated that this was not intentional. The decisions that were made to cut this, do this, do that, and some of the smaller things (just as important), were never conveyed for lack of time to really talk about them. If we could have spent days communicating, we could have resolved these things in a different fashion.

Mr. Barry said we went through a process of value engineering, whereby things are changed or eliminated to meet costs.

Mr. Abell agreed. We did it in the design process (when funds were limited in trying to complete the project).

Mr. Barry asked whether the architects anticipate the need for further value engineering.

Mr. Abell replied in the negative. Specifications exist to tell us what is to be done. He said that

he met with Historic Takoma tonight and heard about their concerns. We will try to see if we can rework some things with the contractor. We are going to make the effort.

Ms. Austin-Lane confirmed that this information will be brought back to the Council.

Mr. Barry commended the firm for its work to engage the community.

Ms. Mizeur said that given the large community buy-in on the design, there should be additional public forums for residents to express their opinions. We want to get a level of comfort that the problems will not occur again. There remain some decisions made that are still phantom. She expressed appreciation for the good work in pushing back on the change orders. While there are currently \$144,000 worth of them, it is helpful to know that there could be more. Can you give us a sense of what kind of negotiations you are having to do on the other change orders?

Mr. Abell noted the sensitive nature of negotiations. It is more appropriate to comment on the process. We look at the change orders and send them to our consultants. Charron Consulting also reviews them to see that they are fair and equitable. We compare them to what is required in the specifications and in the contract documents. The contractor has to be treated fairly. One component of the change order is cost, another is time. We have to evaluate both of these; both have cost implications. We do not want to have to pay for a time extension. He said that he is not sure what the forum is for dealing with this kind of issue. Afterward, we can go back to explain how we got from A to B.

Ms. Mizeur asked whether he can identify a figure as to what we might expect. Is it too sensitive?

Ms. Austin-Lane questioned the difference between what was requested (initial change order total) and what we got them down from in the \$144,000.

Mr. Abell replied that it is too sensitive. He expressed respect for the public right to know and need to know.

Ms. Mizeur commented that from the get-go we have had a puny contingency fund for this project and that she is surprised we have had so little on hold and in reserve. This is an issue we have to look at during the budget process, even if in closed session.

Mr. Elrich agreed.

Mr. Williams confirmed that the main place that change orders come from is getting out of the ground.

Mr. Abell agreed. Conditions with the ground can be problematic. We found several things during excavation that did not show up in the borings.

Ms. Austin-Lane said we have gotten requests from the public about lessons learned. She remarked that she did not feel that she has the technical expertise to respond. Do the contracts describe what we are committed to?

Mr. Abell replied that with respect to the contract for \$5,595,000, the City has change orders totaling \$144,000, and has a decision to make on \$690,000 tonight. These numbers are contracted.

Ms. Austin-Lane asked about the consequences if residents want the Council to reconsider or stop construction.

Mr. Abell asserted that it is almost impossible to stop construction. This would result in claims from the contractor. It is one thing to try to work with the contractor to resolve minor issues to make citizens happy. It might be best described as a “marriage.” We have ways we can still solve some of the problems that are out there. We will have a little pain reconciling some things, but most things can be resolved. It is all communication. If the City could have had the resources expected, it could have made the project smoother. The City worked its way through a tough time, and now we are coming out. Timing is critical. We may have to say we cannot do anything about that.

Ms. Porter expressed that this is not the last time the Council will talk about this project. Some decisions will be done this evening--some later.

Ms. Austin-Lane asked at what point will the public be able to ask questions.

Ms. Porter restated the order of tonight’s discussion--presentation, Council discussion, public remarks.

Ms. Mizeur confirmed that there is Council agreement to add this topic as an item on every future agenda.

The Council reached a consensus to appoint Mr. Williams as the Council liaison (point of contact) regarding the community center construction (NOTE: Mr. Seamens did not agree.)

Ms. Austin-Lane clarified that this does not mean that any Councilmember will be denied access to information upon request.

Mr. Williams noted that the Council needs to make a decision on \$690,000 tonight.

Mr. Norway described the color handouts. We have generally outlined what is in the project. On sheet A-1, the Public Safety Level is under construction right now. The white areas are the existing building, untouched. There is a little area, in orange, and the light green areas all modified under the contract. The dark green area indicates the area of new construction under Knott’s current contract. The Police Department is relocated from the middle level to the left

hand side of the basement. In the center will be the main entrance. At the star, is the three story atrium. This is the community gathering area. On the right side is a utility storage room. The future walls for the structure of the plaza above ground are at the upper right. The \$690,000 is funding for finished related items.

He remarked about the community plaza level. All of the light green areas are being constructed now. The twenty-foot bridge leads from Maple Avenue. A small covered walkway leads from the building. The small sidewalk modification in the rear is also in the contract. The dark green areas are the areas of the new addition. These will be completed under the contract. It includes the entrance from the plaza/atrium. In the center of the main green element is the multipurpose room. As you enter the building to the left there are multiple conference and meeting rooms. The kiln room is complete except for the kiln. There is a connection between the library and the existing building. The computer rooms are to be completed in their entirety, except for casework pieces. These are not in the contract. All the conduit is in the walls, to allow the cable to be run. The conduit will be there in all locations. The junction box will have a pull string to pull the cable later.

Mr. Seamens asked whether there will be conduit in the ceiling.

Mr. Norway replied that there are two, four-inch conduits that run from the future cable control room to the existing cable control room that are not in the contract. There are no interior renovations under the current contract. The third level is the City administration level so the staff will relocate upstairs. A portion of the City administration staff will go up to a new third level. That is in the contract. That level includes a gathering area. On the upper left hand side, a small expansion is planned. The \$331,000 under alternate one is the area in yellow on A3. This will completely open up the current level for the community. The \$690,000 also includes some things outside the building. The green area on the left cannot be completely constructed. The walls will be built 4-5 feet short. It can be used as work space.

BREAK - The Council took a brief recess at 9:15 p.m. and then reconvened.

Mr. Norway discussed the documents he is working on with City staff to develop a plan to reduce the cost of the interior and to improve community space. These are plan documents not in the current contract. A-1 has two options. The question is whether or not to leave the holding cells on this community center level. Option A leaves the holding cells on the community center level. Plan B-2 leaves the holding cells on the current level. This options guts the finance office and creates a game room. Behind the present multipurpose room would be a storage room and a secondary control room to monitor the Council meetings when they use that facility. A conference room would be on the lower left. He referred to the dance studio and teen hangout area. This option would not require any work that is not already in the contract. Plan A-3 involves the upper level which will accommodate administrative staff. Option B relocates the holding cells. B-1 would include the holding cells. The faint light blue area is yet to be designed. This area would be affected if the holding cells were moved downstairs. In B-2, the lounge and kitchen would be constructed. The upper level administration area remains the same

as in Option A.

Ms. Porter asserted that she would like this to come back to the Council after we know what the State funding will be.

Mr. Seamens commented, in looking through the plans, that the square footage is broken down by type of use. In the new facility, we are increasing significantly the amount of government business floor space. He questioned whether the previous or current Council discussed this point. Under whose authority was this significant decision made?

Mr. Abell responded that the overall square footage is relatively the same. There is a net increase in community space.

Mr. Seamens declared that this is not borne out by the numbers.

Mr. Abell clarified that the Council chambers will eventually be a theater. Initially, it would be for government use, but would become more of a community use space. He offered to provide more detail about the square foot / use numbers (in context of the different options) for the next Council discussion.

Mr. Seamens observed a 60% increase in government office space which is not what the community wanted. Since the interior is not going to be modified under the existing contract, and because funding is a critical issue at this point, what could we do to scale back our plans to provide the community center facility but be less worried about creating larger offices? We could cope with what we have if we needed to prioritize funding.

Ms. Austin-Lane added her interest in responses to those questions. Since there are many interior spaces that we are not contracting to outfit, we will have an opportunity to discuss the space use. She would like to publicize that we will be making this decision now.

Mr. Seamens offered to provide Mr. Abell the basis for his conclusion. Looking at the estimates, he projected that the project will cost \$11, 283,000. Is this everything needed to complete the project (e.g., generator included)?

Mr. Norway responded in the affirmative.

Mr. Elrich asked about the square footage projected for offices in departments and square footage projected for community space.

Mr. Williams asked how a decision on Options A and B will include timing considerations. Would they be at the very end, or at what time frame will we need to make the decision? What would they be if we decided in the next 2 to 4 months?

Mr. Abell stated there is plenty of time. He would need time to get the permits.

Ms. Porter clarified that the proposal from the contractor expires May 2. Before May 2, the Council has to decide to take him up on the alternative or not.

Mr. Seamens confirmed that the alternate generator was listed, explaining that he is just trying to get back to a comprehensive easy-to-read list of what things remain. He requested a concise list of what needs to be done and how much it will cost.

- Public Comments -

Robert Ginsburg , 7129 Maple Avenue, 32 year resident declared he is a co-owner of this community center. He remarked about the shock and disappointment that we have experienced is due to value engineering. He suggested to adhere to value integrity. He observed these qualities—a Victorian-style hotel with many features for the community, drive-in bank and fried chicken library. We deserve better. Do not give us a second rate project when we deserve a monument for the community. He suggested to take out the gym, and create the meeting rooms and public spaces.

Stacey Gurian Sherman - 527 Albany Avenue raised two questions. She expressed faith that we will get the project done. Can we get a list from the architects and the builders of the meeting rooms and social centers? How much meeting space will we have for use at one time? She asked the Council to establish a committee to sit down and start talking about creative ideas for meeting the operating costs. We will have to do fund-raising and set fees for meeting space use. She said that she would love to pay a set fee for meeting space that would serve the membership of business organizations and non-profits. Will we have a Takoma Park rate since we have gotten so much County and State money. We need to get a handle on how much more this will cost. Council, staff, organizations and committees need to start thinking about these things.

Ms. Porter advised that Recreation Director Haiduven should give a briefing on this matter during the next Council discussion.

Nellie Moxley, Pinecrest President asked, once the flood plain is laid out, can we have the shell of the building built. We are going to pay three times more because the construction of rooms are being thought of separately. You can put the walls in later. The only things you cannot change are the Council meeting space and the holding cells. There is a lot more to the building that needs to be explored.

Ms. Porter commented that we will get into a more detailed discussion of the interior later.

Mr. Abell responded that there was a complete design for all the rooms and every location. What may be confusing the information now is options to have some of those components in a lesser way (lesser cost). There was a lot of effort to think about the interior.

Lynn Bradley, 7305 Maple Avenue expressed disappointment that we cannot afford the gym. The lack of information has produced anger and frustration. She noted her sadness. This is a

terrible problem that the Council has now recognized. A fake Victorian facade is not the Takoma Park vision. The ability to afford to use the building is important. How did we get here? You need to go back and restate the vision. She indicated that she attended a lot of the meetings where we heard about all the things that people wanted. It seems that you have to cut out some of those special-interest rooms. You have to plan for the worst case scenario. We have to be able to pay to staff the building. You need to look at what we can afford and what we should cut out. Come together, figure out what we can afford and cut some of this out.

Andy Keleman, Philadelphia Avenue referred to the issue of the police holding cells and the armory. He urged coordination with the Police Department. On security, safety and insurance issues with the armory and the holding cells, there are regulations as to where and how you can place the armory.

Mr. Finn clarified that the Police Department is involved in all discussions.

Catherine Tunis, Larch Avenue, Chair of the Committee on the Environment made environmental recommendations on the building. The technology has changed since we first looked at this. We would be happy to help with these issues. She noted having sent an e-mail to the Council, Larry Abell and the committee.

Mr. Abell clarified that in the original design, we incorporated everything the committee wanted, both short-term or long-range, including the leadership from the energy and environment committees. We tried to accomplish everything we could. One of the items, for instance, the solar hot water system, was part of the gym design, that is a phased process.

Jane Lawrence, 7704 Takoma Avenue said Lynn Bradley brings forth a valid point about the financing and expressed hope that Mr. Seamens will get a comprehensive list to determine the impact on the budget. She urged that we not sweep under the rug how we are going to pay for this project.

Richard Nakamora, 7413 Cedar commented that he is “pro tax” but thinks we are reaching a point of saturation. He expressed concern about the rise in the dollar price of this project and that it will result in a “shell without programming.” Do this cautiously. He noted the additions we would like but cannot afford.

“Unidentified Female” noted that the President of Hodges Heights was here tonight but could not stay. We are greatly concerned about promises made to the neighborhood and habitability. Our needs as to landscaping, security and parking need to be taken into consideration.

Nellie Moxley said her comments are on paper. Twenty-six changes were done since the approval for construction. We need to worry about who will own this property. Some townhouses in Sligo Mills got into financial problems and were reverted to ownership by the contractor. She said that she does not want this to happen here. Make sure the contracts are reviewed again.

The Council discussed the decision point—the alternative that this company has given us for the work in the new interior parts of the building. We were counting on the \$750,000 from Montgomery County. Had the City not committed to going ahead we would have lost the money. We now have to make a decision on this. The County budget does include the \$750,000 we requested. It looks secure. The money for the last \$690,000 of work almost certainly will be available. The Council agreed to direct the City Manager to enter into a contract.

Mr. Elrich questioned whether it is a better price than if we had gone out on the market.

Mr. Abell responded in the affirmative and advised the Council to go with this price.

Mr. Elrich noted the he was the one who wanted this money taken out but given the advice, he is willing to go ahead.

Mr. Seamens asked how difficult it will be if the County Council does not approve the budget with the \$750,000. What is the contingency?

Mr. Finn said there is no other source. The Council would be making the assumption that the \$690,000 will be there. As of April 1, the opportunity will be gone. He added that we would likely be looking at an increase in the price if we do not decide now.

Ms. Austin-Lane remarked that the \$690,000 is part of the base contract. We pulled the money out because we were not comfortable. Having talked with many now, there could be problems with bidding it out to someone else. The second issue is about the decision this new Council made not to commit until the money was in the County Executive's budget. She said that she now has enough assurance to be comfortable. The hearings are in April and the Council will not ratify the new budget until June. However, she indicated that she is willing to say we will see this base contract through to completion. She recognized the anticipated struggles we will have in dealing with the upcoming budget process and urged that we not borrow money or raise taxes.

Mr. Williams said he is also confident that since the \$750,000 is in the County Executive's budget, we should finish this piece of the project by putting the money back into the contract. If we were to go the route of having someone else try to finish some items, there would be too much opportunity for finger pointing between the old contractor and the new contractor. We need to finish out this base contract.

The Council gave the City Manager authority to commit for the \$690,000 worth of work that was pulled out of the contract. He should commit to put it back into the contract to finish and complete the work.

Mr. Finn suggested that the Council take formal action, after the fact.

There was unanimous consent (to be followed by formal action).

Mr. Seamens said at the next meeting on the community center, he wished to address maintenance, staffing, and furnishing cost. When we look at a 62 % increase in government space, he would like a more comprehensive explanation of related items.

Mr. Finn mentioned that Ms. Haiduven will be looking at that as part of her budget. As to office space, we tried to match the space we have.

Mayor Porter said she was not sure that Mr. Seamens' information is based on most recent information.

Mr. Williams suggested Council hang onto the binder from the February 17 meeting, to add new pieces to the binder as discussions move forward.

Ms. Austin-Lane said that every Council meeting will have this at the beginning of the agenda. We should set out a time line and distribute it as widely as possible. We have the current look of the building, but as the Council and community makes decisions, we need continued updates of the architects drawings. It would help if we know where we are going. We would like to see both of the drawings.

Mr. Seamens thanked Larry Abell and Doug Norway, adding that his comments were not meant to be negative about the work they have done on the project.

Mayor Porter extended thanks to all staff and the consultants.

ADJOURNMENT

The Council adjourned for the evening at 10:30 p.m.